

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**July 9, 2004**

DIVISION ONE

B168409      People      (Not for Publication)  
v.  
Andrew Legaspi

We remand the case to the trial court to correct the abstract of judgment as stated in part V of this opinion and to forward the amended abstract to the Department of Corrections. In all other respects, we affirm the judgment.

Ortega, J.

We concur: Spencer, P.J.  
Vogel (Miriam A.), J.

B166763      GFA, Inc.      (Not for Publication)  
v.  
Sherri Boynton et al.

We affirm the order and award GFA its costs.

Ortega, J.

We concur: Spencer, P.J.  
Vogel (Miriam A.), J.

July 9, 2004 (Continued)

## DIVISION ONE (Continued)

[illegible]

We affirm the challenged order. Papa and Lauchengco shall bear their own costs. We refer the case to the State Bar for action consistent with the views expressed herein.

Ortega, J.

We concur: Spencer, P.J.  
Vogel (Miriam A.), J.

DIVISION THREE

B170285 People (Not for Publication)  
v.  
Dekermenjian

The order denying Derkermenjian's request pursuant to Penal Code section 1170, subdivision (d), to recall the previously imposed prison term is affirmed.

Klein, P.J.

We concur:   Kitching, J.  
                      Aldrich, J.

B173667 People (Not for Publication)  
v.  
Kaplan

The post-conviction order denying additional presentence custody credit is affirmed.

Klein, P.J.

We concur:   Croskey, J.  
                      Aldrich, J.

July 9, 2004 (Continued)

DIVISION THREE (Continued)

[illegible]

The judgment is affirmed.

Kitching, J.

We concur:   Croskey, Acting P.J.  
                  Aldrich, J.

B167959      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
James B.

The order is reversed and the matter is remanded to the trial court for further proceedings consistent with this opinion.

Aldrich, J.

We concur: Klein, P.J.  
Kitching, J.

DIVISION FOUR

B165491      Islas      (Certified for Publication)  
v.  
D & G Manufacturing Company, Inc.

The order of dismissal is reversed, and the matter is remanded for further proceedings in accordance with this opinion. Appellant is awarded costs.

Curry, J.

We concur: Epstein, Acting P.J.  
Hastings, J.

July 9, 2004 (Continued)

## DIVISION FOUR (Continued)

B148135 Iredale (Not for Publication)  
B157568 v.  
B165851 Clifton B. Cates III

As to the appeal and cross-appeal in case number B148135, the judgment on reserved issues entered January 30, 2001, is reversed as to the valuation of Cates's professional corporation, and remanded to the trial court for recalculation of the equalizing payment due to Cates in keeping with the views expressed in this opinion. In all other respects, the judgment is affirmed. Iredale is awarded her costs on appeal in B148135.

As to the appeal in case number B157568, the order of February 1, 2002 regarding the valuation date for division of the TSP assets is reversed. Cates is awarded his costs on appeal in B157568. As to the appeal in case number B165851, the order of February 28, 2003 is affirmed in full. Iredale is awarded her costs on appeal in B165851.

Curry, J.

We concur: Epstein, Acting P.J.  
Hastings, J.

## DIVISION SEVEN

Court convened at 9:00 a.m.

Present: Perluss, P.J., Johnson, J., Woods, J., Zelon, J. and Eva McClintock, Deputy Clerk.

Each of the following:

B171535 DCFS v. Mercedes T.  
B171669 DCFS v. Leslie H.  
B172283 DCFS v. Wakeisha M.  
B172439 DCFS v. Darcie A.  
B168034 Etchepare v. Lisle et al.  
B174292 Steven A., v. SCLA  
B174739 Nancy R., v. SCLA

Argument waived, cause submitted.

DIVISION SEVEN (Continued)

B167815     Abrams  
              v.  
              1811 Investment et al.

Merits:  
Argued by Jerome Zamos for appellant and by Nate Kraut for respondents.  
Cause submitted.

B167906     Sterling  
              v.  
              Brown et al.

Merits:  
Argued by Dennis Tulsiaak for appellant and by John Gerro for respondents.  
Cause submitted.

B169052     Bond Development  
              v.  
              Gregg et al.

Merits:  
Argued by Christopher Mordy for appellant and by Roger Manlin for  
respondent. Cause submitted.

B163096     Voda  
              v.  
              California State University et al.

Merits:  
Argued by Suzanne Rand-Lewis for appellant and by Mark Santa Romana,  
Deputy Attorney General for respondents. Cause submitted.

DIVISION SEVEN (Continued)

B148398     Venegas et al.  
              v.  
              County of Los Angeles, et al.

Merits:

Argued by Robert Mann for appellants and by Cindy Lee and Eduardo Olivo for respondents. Cause submitted.

B167541     Remedy Temp  
B167017     General Casualty  
B167540     American Home  
B167542     Jacuzzi, Inc.  
              v.  
              Workers Compensation Appeals Board  
              California Insurance Guarantee Association, Respondent

Merits:

Argued by G. Andrew Lundberg, Douglas Benedon, Mark Bonino and Robert Buch for petitioners and by Richard Guildford for real party in interest. Cause submitted.

Court recessed at 12:12 p.m.

Court reconvened at 1:30 p.m.

Present: Perluss, P.J., Johnson, J., Woods, J., Zelon, J. and Eva McClintock, Deputy Clerk.

B164688     Trujillo v. Trujillo  
  
              Argument waived, cause submitted.

DIVISION SEVEN (Continued)

B168762      Spacinsky  
                 v.  
                 Cha

Merits:

Argued by Andrew Ellis for appellant and by Thomas Cermak for respondent. Cause submitted.

B168226      Welch  
                 v.  
                 Sobel

Merits:

Argued by Vicki Welch appellant in propria persona and by Lars Henriksen for respondent. Cause submitted.

B169511      Drum  
                 v.  
                 American Golf Corp.

Merits:

Argued by Joel Drum for appellant and by Hajir Ardehili for respondent. Cause submitted.

B164064      Elliott  
                 v.  
                 Tarzana Treating Center et al.

Merits:

Argued by Nate Kraut for appellant and by Esther Holm and Laurence Dunn for respondents. Cause submitted.

Court adjourned at 2:40 p.m.

July 9, 2004 (Continued)

## DIVISION SEVEN (Continued)

B166213      Schlessinger  
v.  
Holland America, N.V.

Filed order modifying opinion. (No change in the judgment)

B166213      Schlessinger  
v.  
Holland America, N.V.

Filed order certifying opinion for publication.

## DIVISION EIGHT

B170660      Sheppard      (Not for Publication)  
v.  
County Of Los Angeles

The judgment is reversed. The trial court is to issue a new order vacating the default and default judgment and permitting the County to file a responsive pleading. Each side to bear its own costs

Rubin, J.

We concur: Cooper, P.J.  
Boland, J.

B168242 People (Not for Publication)  
v.  
Vega

The judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.  
Boland, J.